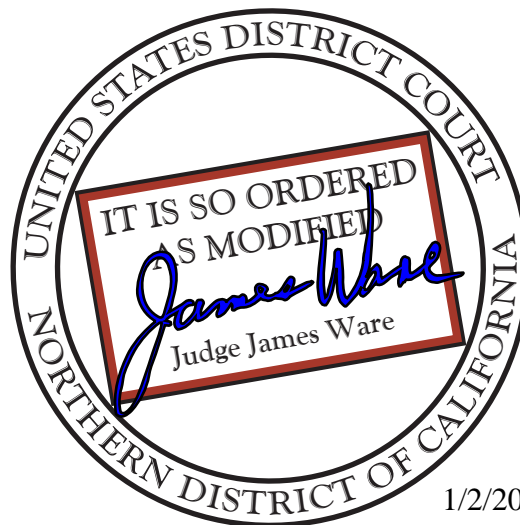


SCOTT N. SCHOOLS, SC SBN 9990  
 United States Attorney  
 JOANN M. SWANSON, CSBN 88143  
 Assistant United States Attorney  
 Chief, Civil Division  
 ILA C. DEISS, NY SBN 3052909  
 Assistant United States Attorney  
 450 Golden Gate Avenue, Box 36055  
 San Francisco, California 94102  
 Telephone: (415) 436-7124  
 FAX: (415) 436-7169

Attorneys for Defendants



1/2/2008

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 SAN JOSE DIVISION

XINQUAN WANG and FEI LI,

Plaintiffs,

v.

MICHAEL CHERTOFF, as Secretary of  
 U.S. Department of Homeland Security;  
 EMILIO T. GONZALES, as Director of  
 U.S. Citizenship and Immigration Services;  
 ROBERT S. MUELLER, III, as Director of  
 Federal Bureau of Investigation,

Defendants.

No. C 07-5247 JW

**STIPULATION TO EXTEND DATES;  
 and [Proposed] ORDER**

Plaintiffs, appearing *pro se*, and Defendants, by and through their attorneys of record, hereby stipulate, subject to the approval of the Court, to the following:

1. The Plaintiffs filed a Form I-485 application to adjust their status to lawful permanent resident with the United States Citizenship and Immigration Services (USCIS) on or about April 5, 2005.

2. Pursuant to this Court's October 15, 2007 Order Setting Initial Case Management Conference, the parties are required to file a joint case management statement on March 3, 2008, and attend a case management conference on March 10, 2008.

3. Plaintiffs' adjustment of status applications are based on an application for permanent

Stipulation to Extend Dates  
 C07-0379 JW

1 employment certification for a second preference professional worker position.

2 4. The priority date for visa number purposes in Plaintiffs' case is the date of filing the labor  
3 certification is September 22, 2005.

4 5. The State Department's Visa Bulletin for December 2007 and January 2008 indicates that  
5 the visa numbers for second preference workers from China is January 1, 2003.

6 6. Since Plaintiffs' priority date is September 22, 2005, the USCIS will not be able to  
7 complete Plaintiffs' applications until a visa number becomes available to them.

8 7. Accordingly, the parties hereby respectfully ask this Court to extend the dates in the Court's  
9 scheduling order as follows:

10 Last day for Defendants to file an Answer February 1, 2008

11 Last day to file Joint ADR Certification May 14, 2008

12 Last day to file/serve Joint Case Management Statement: May 28, 2008

13 Case Management Conference: June 9, 2008 at 10:00 a.m.

14 Dated: December 17, 2007

Respectfully submitted,

15 SCOTT N. SCHOOLS  
16 United States Attorney

17 /s/  
18 ILA C. DEISS  
19 Assistant United States Attorney  
Attorney for Defendants


20 Dated: December 17, 2007

21 /s/  
22 XINQUAN WANG  
FEI LI  
Pro se

23 **ORDER**

24 Pursuant to stipulation, IT IS SO ORDERED.

25  
26 Date: January 2, 2008

27   
28 JAMES WARE  
United States District Judge